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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

FRACTIONAL VILLAS, INC., a  
California corporation

Plaintiff,

vs.

JOSH ALLEN, an individual; and DOES 1  
- 25,

Defendants.

Case No. 08 CV 0967 W AJB

**JOINT MOTION TO DISMISS WITH  
PREJUDICE**

Judge: Hon. Thomas J. Whelan

Magistrate Judge: Hon. Anthony J. Battaglia

Plaintiff Fractional Villas, Inc., a California corporation, and Defendant Josh Allen, an individual, respectfully submit this Joint Motion to Dismiss this action.

WHEREAS, the parties to this action have fully settled and resolved all matters between them that were actually asserted in the First Amended Complaint or that could have been asserted in this case, and the parties desire that the case be dismissed with prejudice with each party bearing their own costs and attorney's fees.

1 NOW, THEREFORE, the parties jointly move the Court to dismiss this case with  
2 prejudice, with each party to bear its own costs and attorney's fees.  
3

4 Dated: August 28, 2008

Dated: August 28, 2008

5 **COAST LAW GROUP, LLP**

**LAW OFFICE OF ROBERT ZICKERT**

6 s/Robert Berkowitz

s/Robert Zickert

7 Robert Berkowitz

Robert Zickert

8 Attorneys for Plaintiff,

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